

**STATE OF INDIANA**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**PUBLIC NOTICE NO. 20220317 – IN0003310– D**  
**DATE OF NOTICE: MARCH 17, 2022**  
**DATE RESPONSE DUE: APRIL 18, 2022**

---

The Office of Water Quality proposes the following NPDES DRAFT PERMIT:

**MINOR – MODIFICATION**

**ELI LILLY and CO. – LILLY TECHNOLOGY CENTER**, Permit No. IN0003310, MARION COUNTY, 1555 S. Harding St., Indianapolis, IN. This facility is a pharmaceutical preparation facility. This modification is for the new compliance point for temperature at Outfall 003 (0.73mgd). Permit Manager: Nicole Gardner, 317/232-8707, [ngardner@idem.in.gov](mailto:ngardner@idem.in.gov). Posted online at <https://www.in.gov/idem/public-notices/>.

---

**PROCEDURES TO FILE A RESPONSE**

Draft can be viewed or copied (10¢ per page) at IDEM/OWQ NPDES PS, 100 North Senate Avenue, (Rm 1203) Indianapolis, IN, 46204 (east end elevators) from 9 – 4, Mon - Fri, (except state holidays). A copy of the Draft Permit is on file at the local County Health Department. Please tell others you think would be interested in this matter. For your rights & responsibilities see: Public Notices: <https://www.in.gov/idem/public-notices/>; Citizen Guide: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>. Please tell others whom you think would be interested in this matter.

**Response Comments:** The proposed decision to issue a permit is tentative. Interested persons are invited to submit written comments on the Draft permit. All comments must be postmarked no later than the Response Date noted to be considered in the decision to issue a Final permit. Deliver or mail all requests or comments to the attention of the Permit Writer at the above address, (mail code 65-42 PS).

**To Request a Public Hearing:**

Any person may request a Public Hearing. A written request must be submitted to the above address on or before the Response Date noted. The written request shall include: the name and address of the person making the request, the interest of the person making the request, persons represented by the person making the request, the reason for the request and the issues proposed for consideration at the Hearing. IDEM will determine whether to hold a Public Hearing based on the comments and the rationale for the request. Public Notice of such a Hearing will be published in at least one newspaper in the geographical area of the discharge and sent to anyone submitting written comments and/or making such request and whose name is on the mailing list at least 30 days prior to the Hearing.



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

**Eric J. Holcomb**  
*Governor*

**Brian C. Rockensuess**  
*Commissioner*

March 17, 2022

VIA ELECTRONIC MAIL

Mr. Daniel Charles, HSE Manager  
Eli Lilly and Company – Lilly Technology Center  
639 S. Delaware Street  
Indianapolis, IN 46221

Dear Mr. Charles:

Re: NPDES Permit No. IN0003310  
Draft Permit Modification  
Eli Lilly and Company –  
Lilly Technology Center  
Indianapolis, IN – Marion County

Your request for a permit modification has been reviewed and processed in accordance with rules adopted under 327 IAC 5. Enclosed is a copy of the draft permit modification.

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit document online at <https://www.in.gov/idem/public-notice/>. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at <https://www.in.gov/idem/resources/citizens-guide-to-idem/>. A 30-day comment period is available to solicit input from interested parties, including the public.

Please review this draft permit modification and associated documents carefully to become familiar with the proposed terms and conditions. Comments concerning the draft permit modification should be submitted in accordance with the procedure outlined in the enclosed public notice form. We suggest that you meet with us to discuss major concerns or objections you may have with the draft permit modification. Questions concerning this draft permit modification may be addressed to Nikki Gardner of my staff, at 317/232-8707 or [ngardner@idem.in.gov](mailto:ngardner@idem.in.gov).

Sincerely,

Richard Hamblin, Chief  
Industrial NPDES Permits Section  
Office of Water Quality

Enclosures

cc: Marion County Health Department  
TC Garrod, HSE Consultant  
Andy Schmidt, IDEM

STATE OF INDIANA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
AMENDED AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Clean Water Act" or "CWA"), and IDEM's permitting authority under IC 13-15,

ELI LILLY AND COMPANY  
LILLY TECHNOLOGY CENTER

is authorized to discharge from a pharmaceutical preparation facility that is located at 1555 South Harding Street, Indianapolis, IN 46221 to receiving waters identified as the West Fork of the White River in accordance with effluent limitations, monitoring requirements, and other conditions set forth in Parts I and II hereof.

The permit, as issued on January 28, 2021, is hereby amended, as contained herein. The amended provisions shall become effective \_\_\_\_\_. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the amendments will remain in effect until the amended provisions become effective. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

This permit and the authorization to discharge, as amended, shall expire at midnight January 31, 2026. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than 180 days prior to the date of expiration.

Issued on \_\_\_\_\_ for the Indiana Department of Environmental Management.

\_\_\_\_\_  
Jerry Dittmer, Chief  
Permits Branch  
Office of Water Quality

2. The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee is authorized to discharge from Outfall 003 [4][7][8], located at Latitude 39° 43' 40", Longitude -86° 11' 14". The discharge is limited to steam condensate, RO reject water, and city water. Samples taken in compliance with the monitoring requirements below shall be taken at a point representative of the discharge but prior to entry into the West Fork of the White River. Such discharge shall be limited and monitored by the permittee as specified below:

DISCHARGE LIMITATIONS [1][2]

Outfall 003

			Table 1			Monitoring Requirements		
Quantity or Loading			Quality or Concentration			Measurement	Sample	
Parameter	Monthly	Daily	Monthly	Daily		Frequency	Type	
	<u>Average</u>	<u>Maximum</u>	<u>Units</u>	<u>Average</u>	<u>Maximum</u>	<u>Units</u>		
Flow	Report	Report	MGD	-----	-----	-----	1 X Daily	24 Hour Total
Chlorides	-----	-----	-----	Report	Report	mg/l	2 X Monthly	Grab
TSS	-----	-----	-----	20	40	mg/l	2 X Monthly	Grab
Temperature	-----	-----	-----	Report	120	°F	1 X Minute	Continuous[5]

			Table 2			Monitoring Requirements	
Quality or Concentration						Measurement	Sample
Parameter	Daily	Daily				Frequency	Type
	<u>Minimum</u>	<u>Maximum</u>	<u>Units</u>				
pH [3][6]	6.0	9.0	s.u.			2 X Monthly	Grab

- [1] See Part I.B. of the permit for the minimum narrative limitations.
- [2] In the event that a new water treatment additive is to be used that will contribute to this Outfall, or changes are to be made in the use of water treatment additives, including dosage, the permittee must apply for and receive approval from IDEM prior to such discharge. Discharges of any such additives must meet Indiana water quality standards. The permittee must apply for permission to use water treatment additives by completing and submitting State Form 50000 (Application for Approval to Use Water Treatment Additives) currently available at: <http://www.in.gov/idem/5157.htm>
- [3] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Monitoring Report form.

- [4] Samples location must be designated so the non-process wastewater discharge and storm water discharge are sampled independently of one another, prior to commingling and discharging via Outfall 003.
- [5] Monitoring and reporting of temperature from TK931 is to occur on a continuous basis. Temperature measurements must be recorded continuously in one minute intervals with the highest single recorded measurement each day reported on the Monthly Monitoring Report (MMR) as the daily value. The highest daily value for the month must be reported on the Discharge Monitoring Report (DMR) as the maximum daily temperature for that month.
- [6] When continuous data is available, the daily high and low pH values shall be reported on the Discharge Monitoring Report.
- [7] The permittee may sample at the discharge from Tank TK931 located at Latitude 39° 44' 33.7", Longitude -86° 10' 52.1", instead of the outlet to the White River.
- [8] Outfall 003 may discharge allowable non-storm water discharges exposed to industrial activity as specified in 327 IAC 15-6-2(a)(4). Allowable non-storm water discharges described under 327 IAC 15-6-2(a)(4) may be allowed provided they have not been identified by the permittee or commissioner as a significant contributor of pollutants to a water of the state. Allowable non-storm water discharges must be documented in the Storm Water Pollution Prevention Plan.



**National Pollutant Discharge Elimination System  
Briefing Memo for  
Eli Lilly and Company – Lilly Technology Center  
Draft modification: March 2022  
Final modification: TBD**

**Indiana Department of Environmental Management**

100 North Senate Avenue  
Indianapolis, Indiana 46204  
(317) 232-8603  
Toll Free (800) 451-6027  
[www.idem.IN.gov](http://www.idem.IN.gov)

<b>Permittee:</b>	Eli Lilly and Company 639 S. Delaware St. Indianapolis, IN 46285
<b>Existing Permit Information:</b>	Permit Number: IN0003310 Expiration Date: January 31, 2026
<b>Facility Contact:</b>	Daniel Charles, Manager - HSE 317/276-4925; <a href="mailto:Daniel.charles@lilly.com">Daniel.charles@lilly.com</a>
<b>Facility Location:</b>	1555 S. Harding St. Indianapolis, IN 46221 Marion County
<b>Receiving Stream:</b>	West Fork of the White River
<b>GLI/Non-GLI:</b>	Non-GLI
<b>Proposed Permit Action:</b>	Modify
<b>Date Application Received:</b>	February 14, 2022
<b>Source Category</b>	NPDES Minor – Industrial
<b>Permit Writer:</b>	Nikki Gardner, Senior Environmental Manager 317/232-8707; <a href="mailto:ngardner@idem.in.gov">ngardner@idem.in.gov</a>

## Table of Contents

<b>1.0 Introduction.....</b>	<b>3</b>
<b>2.0 Facility description .....</b>	<b>3</b>
2.1 General.....	3
2.2 Outfall Locations .....	4
<b>3.0 PERMIT MODIFICATION .....</b>	<b>5</b>
3.1 Modification Request .....	5
3.2 IDEM's Proposed Modification.....	6
<b>3.3 Antibacksliding</b> .....	<b>7</b>
<b>3.4 Antidegradation</b> .....	<b>7</b>
3.5 Spill Response and Reporting Requirement.....	7
3.6 Permit Processing/Public Comment .....	7

## **1.0 INTRODUCTION**

---

The Indiana Department of Environmental Management (IDEM) received a request from the permittee on February 14, 2022, to modify National Pollutant Discharge Elimination System (NPDES) Permit IN0003310. The current five year permit was issued with an effective date of February 1, 2021 in accordance with 327 IAC 5-2-6(a).

The Federal Water Pollution Control Act (more commonly known as the Clean Water Act), as amended, (Title 33 of the United States Code (U.S.C.) Section 1251 et seq.), requires an NPDES permit for the discharge of pollutants into surface waters. Furthermore, Indiana law requires a permit to control or limit the discharge of any contaminants into state waters or into a publicly owned treatment works. This proposed permit action by IDEM complies with and implements these federal and state requirements.

In accordance with Title 40 of the Code of Federal Regulations (CFR) Section 124.7, as well as Title 327 of the Indiana Administrative Code (IAC) 327 Article 5-3-7, a Statement of Basis, or Briefing Memo, is required for certain NPDES permits. This document fulfills the requirements established in these regulations. This Briefing Memo was prepared in order to document the factors considered in the development of NPDES Permit effluent limitations. The technical basis for the Briefing Memo may consist of evaluations of promulgated effluent guidelines, existing effluent quality, receiving water conditions, Indiana water quality standards-based wasteload allocations, and other information available to IDEM. Decisions to award variances to Water Quality Standards or promulgated effluent guidelines are justified in the Briefing Memo where necessary. This Briefing Memo also identifies the modified pages of the permit as issued on January 28, 2021.

## **2.0 FACILITY DESCRIPTION**

---

### **2.1 General**

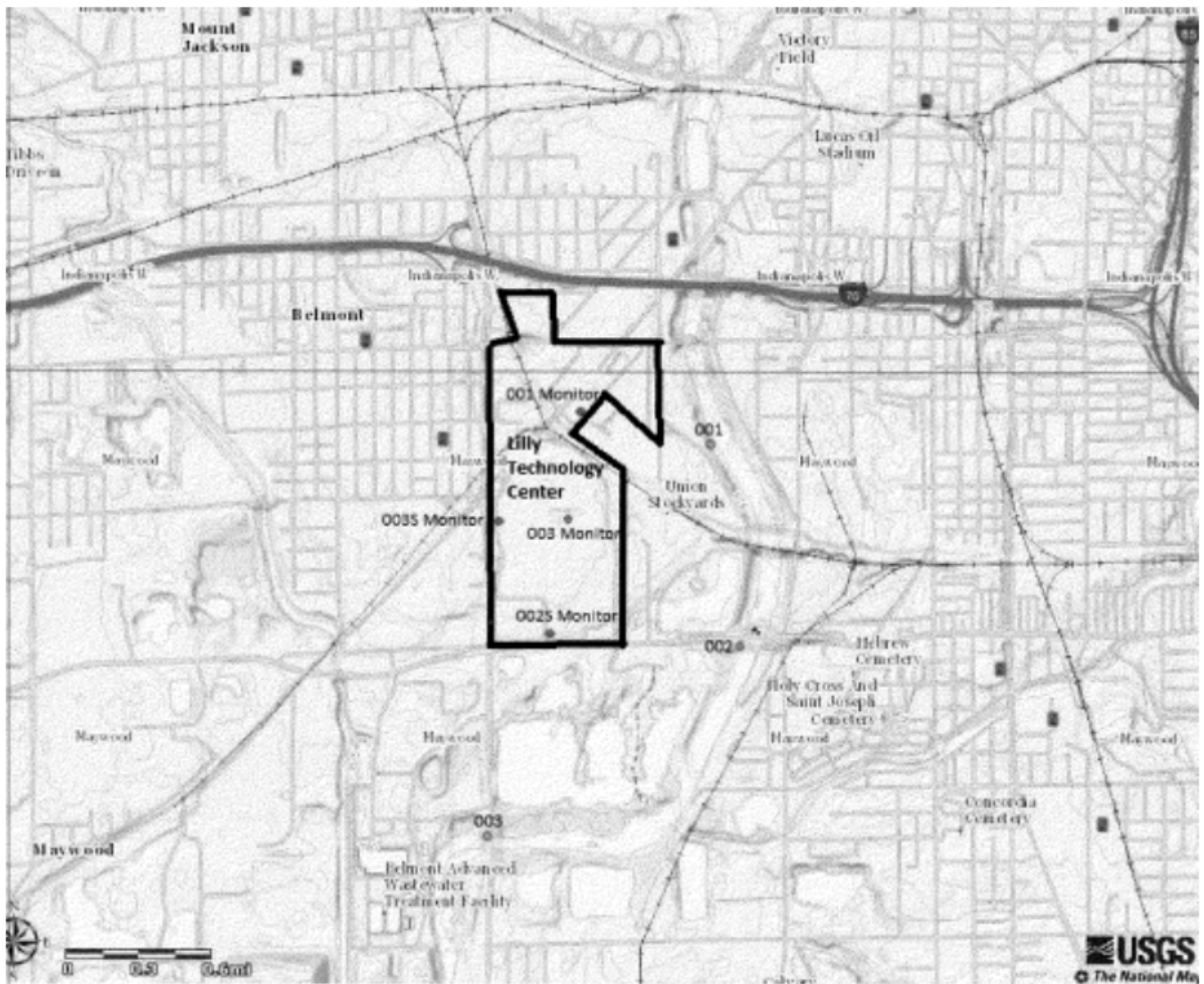
The Eli Lilly and Company – Lilly Technology Center is classified under Standard Industrial Classification (SIC) Code 2883 (Medicinal Chemicals and Botanical Products) and SIC Code 2834 (Pharmaceutical Preparations).

The facility develops and manufactures human health products. Processes at the Center include fermentation, bulk pharmaceutical manufacturing, pharmaceutical preparation, research and development, and administration. The process wastewater discharged from these federally regulated processes is discharged to the Indianapolis POTW under IDP283001.

The source water for the facility is municipal.

A map showing the location of the facility has been included as Figure 1.

**Figure 1: Facility Location**



1555 S. Harding Street  
Indianapolis, IN - Marion County

## 2.2 Outfall Locations

Outfall	Outfall Location		Sampling Location	
	Latitude	Longitude	Latitude	Longitude
001	39° 44' 50.7"	-86° 10' 26.2"	39° 44' 56"	-86° 10' 47.4"
002S	39° 44' 11.2"	-86° 10' 16.8"	39° 44' 12.5"	-86° 11' 0.1"
<b>003</b>	<b>39° 43' 40"</b>	<b>-86° 11' 14"</b>	<b>39° 44' 33.7"</b>	<b>-86° 10' 52.1"</b>
003S	39° 43' 40"	-86° 11' 14"	39° 44' 32.2"	-86° 11' 12.4"

## 3.0 PERMIT MODIFICATION

---

### 3.1 Modification Request

Below is the modification request submitted by the permittee:

“In April 2020, Lilly was granted a permit modification for temperature monitoring requirements associated with permitted outfall 003. This modification authorized use of an algorithm to predict downstream temperature for discharged wastewater entering the West Fork White River.

Although Lilly appreciates the opportunity to develop creative monitoring methods, implementation of controls in alignment with the algorithm have not provided the benefit originally anticipated.

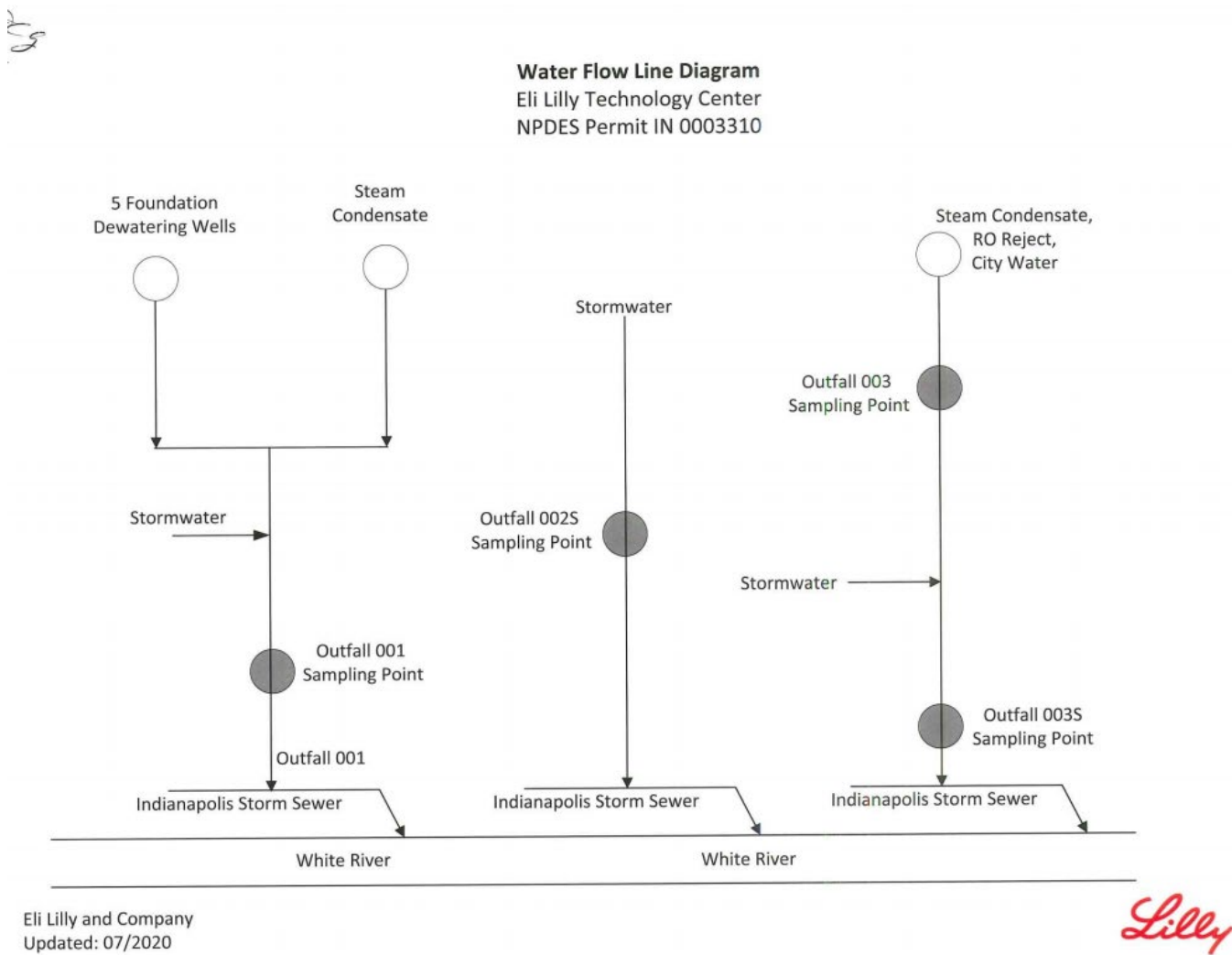
As such, Lilly respectfully requests a permit modification to adjust the outfall monitoring requirements for LTC003 temperature to be obtained from the discharge pipe at the tank location, with a temperature limit of 120°F. By doing so, the current temperature limit at the Outlet to the White River (Table 4 of permit and associated footnote 6) became obsolete.

With this requested change, all compliance parameters for outfall 003 (temperature, pH, suspended solids, and chlorides) will be monitored at the same location, effluent of discharging tank.

Note that the attached modification form indicates coordinates (39°43'40"N, 86°11'14"W) for the outfall at White River release location. The requested monitoring location, via pipe tap from the tank discharge line, is more appropriately represented as coordinates 39°44'34"N, 86°10'52"W.”

A Water Balance Diagram has been included as Figure 2.

**Figure 2: Water Balance Diagram**



### 3.2 IDEM's Proposed Modification

The modification is being approved as requested. Applying the temperature limit (120°F) at the discharge tank is more protective of the White River than applying the same temperature limit at the outlet to the river. Part I.A.2 on pages 4 and 5 of the permit will be modified as follows:

1. Update the temperature limitation and monitoring requirements in Table 1;
2. Remove current footnote [6] related to the mathematical model and renumber the remaining footnotes;
3. Correct the latitude and longitude of the Tank TK931 discharge location; and
4. Allow all parameters at Outfall 003 to be sampled either at the discharge from Tank TK931 or the outlet to the White River.

### **3.3 Antibacksliding**

Pursuant to 327 IAC 5-2-10(a)(11), unless an exception applies, a permit may not be renewed, reissued or modified to contain effluent limitations that are less stringent than the comparable effluent limitations in the previous permit. None of the limits included in this permit are less stringent than the comparable effluent limitations in the previous permit, therefore, backsliding is not an issue in accordance with 327 IAC 5-2-10(a)(11).

### **3.4 Antidegradation**

Indiana's Antidegradation Standards and Implementation procedures are outlined in 327 IAC 2-1.3. The antidegradation standards established by 327 IAC 2-1.3-3 apply to all surface waters of the state. The permittee is prohibited from undertaking any deliberate action that would result in a new or increased discharge of a bioaccumulative chemical of concern (BCC) or a new or increased permit limit for a regulated pollutant that is not a BCC unless information is submitted to the commissioner demonstrating that the proposed new or increased discharge will not cause a significant lowering of water quality, or an antidegradation demonstration submitted and approved in accordance 327 IAC 2-1.3-5 and 2-1.3-6.

The NPDES permit does not propose to establish a new or increased loading of a regulated pollutant; therefore, the Antidegradation Implementation Procedures in 327 IAC 2-1.3-5 and 2-1.3-6 do not apply to the permitted discharge.

### **3.5 Spill Response and Reporting Requirement**

Reporting requirements associated with the Spill Reporting, Containment, and Response requirements of 327 IAC 2-6.1 are included in Part II.B.2.(d), Part II.B.3.(c), and Part II.C.3. of the NPDES permit. Spills from the permitted facility meeting the definition of a spill under 327 IAC 2-6.1-4(15), the applicability requirements of 327 IAC 2-6.1-1, and the Reportable Spills requirements of 327 IAC 2-6.1-5 (other than those meeting an exclusion under 327 IAC 2-6.1-3 or the criteria outlined below) are subject to the Reporting Responsibilities of 327 IAC 2-6.1-7.

It should be noted that the reporting requirements of 327 IAC 2-6.1 do not apply to those discharges or exceedances that are under the jurisdiction of an applicable permit when the substance in question is covered by the permit and death or acute injury or illness to animals or humans does not occur. In order for a discharge or exceedance to be under the jurisdiction of this NPDES permit, the substance in question (a) must have been discharged in the normal course of operation from an outfall listed in this permit, and (b) must have been discharged from an outfall for which the permittee has authorization to discharge that substance.

### **3.6 Permit Processing/Public Comment**

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit document online at <https://www.in.gov/idem/public-notices/>. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at <https://www.in.gov/idem/resources/citizens-guide-to-idem/>. A 30-day comment period is available to solicit input from interested parties, including the public.